

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
SANDY VALCIN,

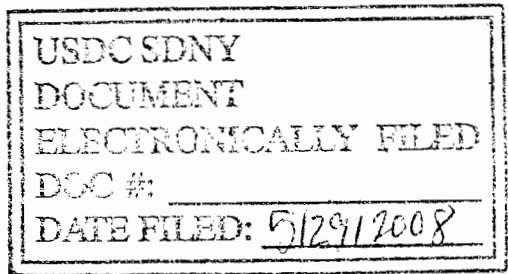
Plaintiff,

- against -

NEW YORK CITY DEPARTMENT OF HOMELESS
SERVICES, et al.,

Defendants.
-----X

DEBORAH A. BATTS, United States District Judge.



07 Civ. 1385 (DAB) (KNF)
ADOPTION OF REPORTS
AND RECOMMENDATIONS

This matter is before the Court upon two Reports and Recommendations of United States Magistrate Judge Kevin Nathaniel Fox, which were both filed April 16, 2008.¹ The First Report recommends that the motion to dismiss filed by Defendants Iris Rodriguez, Daniel Hagevik, Denise Benson, Yvette Pilgrim and Sylvia Ontaban be GRANTED because individuals are not subject to liability under Title VII. (First Report at 1, 3.) The Second Report recommends that the motion to dismiss filed by Defendants John Peeks and SSEU Local 371 be GRANTED because the Court lacks subject matter jurisdiction, and because, *inter alia*, the Title VII claim is time-barred. (Second Report at 3, 4.)

¹ The first Report and Recommendation (hereinafter "First Report"), Docket Entry No. 41, considers the Motion to Dismiss of Defendants Iris Rodriguez, Daniel Hagevik, Denise Benson, Yvette Pilgrim and Sylvia Ontaban; this motion is Docket Entry No. 36. The second Report and Recommendation (hereinafter "Second Report"), Docket Entry No. 42, considers the Motion to Dismiss of Defendants John Peeks and SSEU Local 371; that motion is Docket Entry No. 29.

According to 28 U.S.C. § 636(b)(1)(C), "[w]ithin ten days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations." 28 U.S.C. § 636(b)(1)(C); see also Fed. R. Civ. P. Rule 72(b) (stating that "[w]ithin 10 days after being served with a copy of the recommended disposition, a party may serve and file specific, written objections to the proposed findings and recommendations"). Despite being advised accordingly in Judge Fox's Reports and Recommendations, to date, no objections to either the First Report or the Second Report have been filed.

Having reviewed the First Report and the Second Report, and finding no clear error on the face of the record, see 28 U.S.C. § 636(b)(1)(B), it is hereby

ORDERED AND ADJUDGED as follows:


1. The First Report and Recommendation, Docket Entry No. 41, of United States Magistrate Judge Kevin N. Fox, dated April 16, 2008, be and the same hereby is APPROVED, ADOPTED, and RATIFIED by the Court in its entirety;

2. The Second Report and Recommendation, Docket Entry No. 42, of United States Magistrate Judge Kevin N. Fox, dated April 16, 2008, be and the same hereby is APPROVED, ADOPTED, and RATIFIED by the Court in its entirety;

The Clerk of Court is directed to terminate Defendants Iris Rodriguez, Daniel Hagevik, Denise Benson, Yvette Pilgrim and Sylvia Ontaban, as well as Defendants John Peek and SSEU Local 371, from the docket in this case.

SO ORDERED.

DATED: New York, New York
May 29, 2008

A handwritten signature in black ink, reading "Deborah A. Batts", is written over a horizontal line.

Deborah A. Batts
United States District Judge